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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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EXAMINER

PHAM, KHANH B

ART UNIT

PAPER NUMBER

2166

DATE MAILED: 11/07/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/605,733

Applicant(s)

YAMAGISHI ET AL.

Examiner

Khanh B. Pham

Art Unit

2166

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 22 August 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-7 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-7 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 22 August 2006 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Amendment

1. The amendment filed August 22, 2006 has been entered. Claims 1-7 have been amended. Claims 1-7 are pending in this Office Action.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. **Claims 1-7 are rejected under 35 U.S.C. 102(e)** as being anticipated by Prasad et al. (US 5,956,718), hereinafter referred to as "Prasad".

As per claims 1, 3, Prasad teaches a transmitting method and apparatus for transmitting a hierarchical structure of a directory for hierarchically managing locations of contents data, comprising:

- "a managing unit for managing a hierarchical structure of a directory composed of a container entry and a leaf entry, a container entry containing information in the immediately lower hierarchical level thereof, a leaf entry being disposed in the immediately lower hierarchical level of a container entry, a leaf entry not

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containing information in the immediately lower hierarchical level thereof" at Col.

2 lines 15-40 and Col. 4 lines 53-67;

- "a detecting unit for detecting a change of the hierarchical structure of the directory managed by said managing means" at Col. 6 lines 20-30;
- "and obtaining position information and identification information corresponding to the detected result, the position information representing the position of a container entry in the hierarchical structure of the directory, the identification information identifying a leaf entry corresponding to the hierarchical structure of the directory" at Col. 6 lines 1-20;
- "and a transmitting unit for transmitting the position information and the identification information" at Col. 6 lines 60-65, Col. 15 lines 5-25;
- "wherein the position information includes a schema version, the schema version being a value that changes correspondingly to a change to the hierarchical structure of the directory" at Cols.5-6, tables 1 and 2.

As per claim 2, Prasad teaches the transmitting apparatus as set forth in claim 1, wherein "said detecting unit obtains difference information representing a change of the leaf entries corresponding to the detected result of a change of the hierarchical structure of the directory, and wherein said transmitting means transmits the difference information along with the identification information" at Col. 5 line 25 to Col. 6 line 60.

As per claims 4,5, Prasad teaches a receiving apparatus for receiving a hierarchical structure of a directory for hierarchically managing the locations of contents data that are transmitted, comprising:

- “a receiving unit for receiving position information and identification information, the position information being obtained by detecting a change of container entries, the position information representing the position of a container entry in the hierarchical structure of the directory, the identification information identifying a leaf entry corresponding to the hierarchical structure of the directory” at Col. 5 line 25 to Col. 6 line 60;
- “the directory being composed of container entries and leaf entries, a container entry containing information in the immediately lower hierarchical level thereof, a leaf entry not containing information in the immediately lower hierarchical level thereof” at Col. 4 lines 53-67;
- “an obtaining unit for selectively obtaining the identification information of a leaf entry in the immediately lower hierarchical level of a container entry represented by the position information corresponding to selection information designated corresponding to the position information” at Col. 6 lines 5-20; and
- “a managing unit for managing the hierarchical structure of the directory formed with the position information corresponding to the selection information and with the identification information that is selectively obtained” at Col. 2 lines 15-40 and Col. 6 lines 50-60;

- “wherein the position information includes a schema version, the schema version being a value that changes correspondingly to a change to the hierarchical structure of the directory” at Cols.5-6, tables 1 and 2.

As per claims 6, 7, Prasad teaches a transmitting and receiving system for transmitting a hierarchical structure of a directory for hierarchically managing locations of contents data and receiving the transmitted hierarchical structure, comprising:

- “a first managing unit for managing a hierarchical structure of a directory composed of a container entry and a leaf entry, a container entry containing information in the immediately lower hierarchical level thereof, a leaf entry being disposed in the immediately lower hierarchical level of a container entry, a leaf entry not containing information in the immediately lower hierarchical level thereof” at Col. 2 lines 15-40 and Col. 4 lines 50-67.
- “a detecting unit for detecting a change of the hierarchical structure of the directory managed by said first managing unit and obtaining position information, identification information, and difference information corresponding to the detected result, the position information representing the position of a container entry in the hierarchical structure of the directory, the identification information identifying a leaf entry corresponding to the hierarchical structure of the directory, the difference information representing the difference of leaf entries” at Col. 5 line 25 to Col. 6 line 60;

- “a transmitting unit for transmitting the position information, the identification information, and the difference information” at Col. 6 lines 30-65, Col. 14 lines 45-55 and Fig. 10;
- “a receiving unit for receiving the position information, the identification information, and the difference information transmitted by said transmitting unit” at Col. 6 lines 30-65, Col. 14 lines 45-55 and Fig. 10;
- “obtaining unit for selectively obtaining the identification information of a leaf entry in the immediately lower hierarchical level of a container entry represented by the position information corresponding to selection information designated corresponding to the position information” at Col. 15 lines 5-20;
- “a second managing unit for managing the hierarchical structure of the directory formed with the position information corresponding to the selection information and with the identification information that is selectively obtained” at Col.15 lines 10-25;
- “wherein the position information includes a schema version, the schema version being a value that changes correspondingly to a change to the hierarchical structure of the directory” at Cols.5-6, tables 1 and 2.

Response to Arguments

4. Applicant's arguments filed August 22, 2006 have been fully considered but they are not persuasive. The examiner respectfully traverses applicant's arguments.

Applicant argued that Prasad does not teach: "the position information includes a schema version, the schema version being a value that changes correspondingly to a change to the hierarchical structure of the directory". On the contrary, Prasad teaches at Tables 1 and 2 that each move entry structure contains a version number which indicate changes to the hierarchical structure of the directory. A portion of Table 1 is reproduced below:

TABLE 1			
<u>Begin Move Entry Structure (42 (0x2A))</u>			45
Offset	Content	Type	
<u>Request Format</u>			
32	Version = 0	Int4	50

In light of the foregoing arguments, the 35 U.S.C 102 rejection is hereby sustained.

Conclusion

5. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

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the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Khanh B. Pham whose telephone number is (571) 272-4116. The examiner can normally be reached on Monday through Friday 7:30am to 4:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hosain Alam can be reached on (571) 272-3978. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Khanh B. Pham
Examiner
Art Unit 2166

October 27, 2006

